

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICHARD K., JULIE K., individually and as :
guardians of K.K.. a minor, :
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Plaintiffs, : 1:18-cv-6318-GHW
 :
 :
-against- :
 :
 :
UNITED BEHAVIORAL HEALTH, OXFORD :
HEALTH INSURANCE OF NEW YORK/PPO, :
 :
 :
Defendants. :
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ORDER

GREGORY H. WOODS, United States District Judge:

On June 28, 2019, Magistrate Judge Moses issued a Report and Recommendation recommending that the Court stay this action until the earlier of a final judgment in a class action entitled *Wit v. United Behavioral Health*, No. 3:14-cv-02346-JCS (N.D. Cal.), in which K.K. is a member of a certified plaintiff class, or an order from the *Wit* court either decertifying the plaintiff class or excluding K.K. from the class. Objections to the Report and Recommendation were due on July 12, 2019. To date, the Court has received no objections.

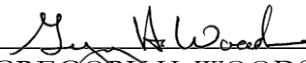
The Court has reviewed the Report and Recommendation for clear error and finds none. *See Braunstein v. Barber*, No. 06 Civ. 5978 (CS) (GAY), 2009 WL 1542707, at *1 (S.D.N.Y. June 2, 2009) (explaining that a “district court may adopt those portions of a report and recommendation to which no objections have been made, as long as no clear error is apparent from the face of the record.”) Accordingly, the Court accepts and adopts the thorough and well-reasoned Report and Recommendation in its entirety. Accordingly, this case is stayed until the earlier of: (i) final judgment in *Wit* or (ii) an order from the *Wit* court either decertifying the plaintiff class or excluding K.K. from the certified plaintiff class. Pursuant to the Report and Recommendation, the parties are directed to file a status letter every six months as well as a letter within fourteen days of the

occurrence of either of those events updating the Court on the *Wit* proceedings and informing the Court of the parties' respective positions on whether and how this action should proceed.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 33.

SO ORDERED.

Dated: July 15, 2019
New York, New York



GREGORY H. WOODS
United States District Judge